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SUBJECT: HUMAN RIGHTS: MFA PROPOSES "FRAMEWORK AGENDA" FOR
LATE-MAY HUMAN RIGHTS DIALOGUE

Classified By: Political Minister Counselor Aubrey Carlson. Reasons 1.
4 (b) and (d).

Summary

1. (C) MFA IO Human Rights Division Acting Director Yan Jiarong on March 21 conveyed China's proposal for the next round of human rights dialogue with the United States. China proposes holding the next dialogue meeting during the last ten days of May, in Beijing, at the DRL Assistant Secretary and IO Director General level. China, Yan said, would like to host one-half day of formal discussions and a lunch or dinner attended by a Vice Foreign Minister or Assistant Foreign Minister. Yan proposed a "framework agenda" in which China and the United States would both brief on "developments in the human rights field" and the two sides would discuss cooperation in UN human rights-related fora on "Darfur and other problems." It would also be possible, Yan said, to visit Beijing-area institutions. Yan said that China "takes human rights dialogue with the United States very seriously" and is prepared to move forward with an "open and frank" exchange based on principles of "equality and mutual respect," even as it is trying to "cancel or postpone human rights dialogues with other countries." End Summary.

"So, it's Official, we're going to resume dialogue"

2. (C) MFA IO Human Rights Division Acting Director Yan Jiarong opened a March 21 meeting with PolOffs stating "so, it's official, we're going to resume dialogue." Yan, a former Li Baodong protege who just returned from a tour as press spokesperson at China's UN Mission in New York, presented China's proposal for resuming dialogue during the last ten days of May. China proposes the DRL Assistant Secretary and IO DG Wu Hailong to head their respective

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delegations. China would like to host the next round of dialogue in Beijing, although Yan acknowledged that the United States "might insist on holding the next round of dialogue in Washington." Yan said she hopes the U.S. side will accept Beijing as the site for the next round, because this will make it much more likely that MFA can secure the participation of "relevant ministries, including the Supreme People's Court, the Supreme People's Procuratorate, the Public Security Bureau, the United Front Works Department (for Tibet issues) and the State Administration for Religious Affairs. Given Beijing's commitments to host the Olympic Games in August, many officials will find it difficult or impossible to travel abroad in the coming months.

Proposed Topics: Country briefings on HR conditions and

13. (C) China proposes a two-part "framework agenda" for formal dialogue lasting one-half day, Yan said. First, each side would brief on "developments in the human rights field" in their respective countries, after which participants could make comments and ask questions. Listing a comment period on the dialogue agenda would "look uncontroversial" to senior Chinese officials responsible for approving it, Yan said, but "in fact either side could say anything" during this period. Yan said dialogue also could cover "technical cooperation in the field of human rights," including cooperation on legal reform "or anything else." Second, Yan said, China proposes that the two sides discuss cooperation in UN human rights-related fora on "Darfur and other problems." Apart from formal discussions, Yan proposed visiting one or more Beijing-area institutions such as the Ethnic Affairs Commission (minority affairs), the State Council Information Office (Internet, press freedom) or a center for legal assistance to juveniles. Yan did not rule out other site visits, such as a speech at a university by the DRL Assistant Secretary or excursions to observe a detention center or

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criminal proceedings, but said such visits might require additional approvals. Finally, Yan said, an MFA Vice Foreign Minister or Assistant Foreign Minister would host the U.S. delegation for lunch or dinner.

China takes Dialogue seriously; wants to move forward based on "Equality and Mutual Respect"

14. (C) Yan said that China "takes human rights dialogue with the United States very seriously" and wants to move forward with "open and frank" exchange, even as it is "canceling or postponing human rights dialogues with other countries" to

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minimize scheduling conflicts in the lead-up to the Olympics.

Past rounds of dialogue, Yan said, have been "positive and productive" when based on "principles of equality and mutual respect." On the other hand, when the U.S. side has "placed many preconditions on dialogue or been too demanding," Chinese counterparts have become "embarrassed and troubled." This has not been productive, she said. Yan asserted that both sides share an interest in successful dialogue, but said she hopes the U.S. side "will not be too demanding." PolOffs agreed to convey MFA's dialogue proposal and seek the Department's instructions for replying.

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